

## REMARKS

Claims 1-50 are pending and under consideration in the above-identified application.

In the Office Action, Claims 1-50 were rejected.

In this Amendment, Claims 1 – 5, 15, 19, 22, 23, 26, 28, 32 – 47, and 49 – 50 are amended. No new matter has been introduced as a result of this Amendment.

Accordingly, Claims 1 – 50 remain at issue.

### **I. Objection to the Drawings**

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a), indicating that Figures 7-9.

As required by the Examiner, Applicants have amended FIGs. 7 – 9 to include the legend “PRIOR ART.”

Accordingly, Applicant respectfully requests withdrawal of this drawing objection.

### **II. 35 U.S.C. § 102 Anticipation Rejection of Claims 1-5, 9-10, and 12-13**

Claims 1-5, 9-10, and 12-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Oshima et al.* (“*Oshima*”) (U.S. Patent No. 6,266,299 B1). Although Applicants respectfully traverse this rejection, Claim 1 has been amended to clarify the invention and remove any ambiguities that may have been the basis for this claim rejection.

Claim 1 is directed to a magneto-optical disk. The magneto-optical disk comprises a recording layer made of a magnetic film having a magnetic anisotropy in a perpendicular direction to a surface of the magnetic film, the recording layer comprising (1) a main recording region for recording first information, (2) a sub recording region formed on an inner circumference side from the main recording region for recording second information including disk discrimination information, and (3) a buffer region formed between the main recording region and the sub recording region for recording third information. The second information is recorded in a mark array formed in stripe shapes in a radial direction of the disk in the sub recording region and the buffer region, a plurality of marks constituting the mark array are parts having a changed magnetization state in the recording layer, and the third information can be reproduced by a modulation signal of a reflection ratio along a circumferential direction of the magneto-optical disk.

That is, in the relevant part Claim 1, the magneto-optical disk comprises a sub recording region formed on an inner circumference side from the main recording region for recording second information including disk discrimination information, and a buffer region formed between the main recording region and the sub recording region for recording third information. In addition, the second information is recorded in a mark array formed in stripe shapes in a radial direction of the disk in both the sub recording region and the buffer region. See FIG. 2.

This is clearly unlike *Oshima*. As the Examiner correctly pointed out, in *Oshima* the address signal (second information including disk discrimination information) is only recorded in the address region (sub region) 944 formed in stripe shapes 923. That is, *Oshima* fails to teach or suggest that the second information including disk discrimination information is also recorded in the control data (TOC) region (buffer region) 936 as required by Claim 1.

Thus, Claim 1 is patentable over *Oshima*, as are dependent Claims 2-5, 9-10, and 12-13, for at least the same reasons.

Accordingly, Applicants respectfully request that this claim rejection be withdrawn.

### **III. 35 U.S.C. § 103 Obviousness Rejection of Claims 6-8**

Claims 6-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable *Oshima*. Applicants respectfully traverse this rejection.

Claims 6 – 8, being dependent on Claim 1 shown above to patentable over *Oshima*, are also patentable for at least the same reasons.

Accordingly, Applicants respectfully request that this claim rejection be withdrawn.

### **IV. 35 U.S.C. § 103 Obviousness Rejection of Claim 11**

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Oshima* as applied in claim 1, above, further in view of *Tomita et al.* (“*Tomita*”) (U.S. Publication 2003/0202436 A1).

Claim 11 is dependent on Claim 1 shown above to be patentable over *Oshima*.

Moreover, in addition to *Oshima*, *Tomita* also fails to teach or suggest that the second information is recorded in a mark array formed in stripe shapes in a radial direction of said disk in both the sub recording region and the buffer region. As such, *Oshima* and *Tomita* may not be properly combined to reject Claim 1. Thus, Claim 1 is patentable over *Oshima* and *Tomita*, taken singly or in combination, as is corresponding dependent Claim 11, for at least the same reasons.

Accordingly, Applicants respectfully request that these 35 U.S.C. § 103 claim rejections be withdrawn.

**V. 35 U.S.C. § 103 Obviousness Rejection of Claim 14**

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Oshima*.

Claim 14, being dependent on Claim 1 shown above to be patentable over *Oshima*, is also patentable for at least the same reasons.

Accordingly, Applicants respectfully request that this claim rejection be withdrawn.

**VI. 35 U.S.C. § 103 Obviousness Rejection of Claims 15-50**

Claims 15-50 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Oshima* as applied to claim 1, above, further in view of *Tomita*.

Independent Claims 15, 23, 26, 33, 41 and 44, which recite the same distinguishable limitation as that of Claim 1, are also patentable over *Oshima* and *Tomita*, taken singly or in combination with each other.

Accordingly, Applicants respectfully request that these 35 U.S.C. § 103 claim rejections be withdrawn.

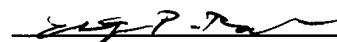
**VII. Conclusion**

In view of the above amendments and remarks, Applicant submits that Claims 1 – 50 are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: \_\_\_\_\_

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